



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-22562 - APPLICANT: KATHI MACDONALD - OWNER:
ROBERT & NETA GARSIDE**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Rezoning from the R-E (Residence Estates) zoning district to C-1 (Limited Commercial) zoning district for a 0.53 acre property located at 4309 Thom Boulevard. The applicant proposes to remove the existing single-family dwelling and to construct an Indoor recreation Facility. An associated General Plan Amendment (GPA-22560) and Site Development Plan Review are associated with this Rezoning request.

As the Rezoning request is in compliance with the requested General Plan Amendment, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
8/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Residential land uses with a maximum density of three dwelling units per acre.
3/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
5/24/99	The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map.
8/18/99	The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
9/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developed Area as described in the Plan.
2/19/03	The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for DR (Desert Rural) land uses, with a maximum density of 2.49 dwelling units per acre.
08/09/07	The Planning Commission recommended approval of companion items GPA-22560 and SDR-22557 concurrently with this application.
	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #12/mh).
<i>Related Building Permits/Business Licenses</i>	
2/07/02	Plan Check #M-0239-01: Permit pulled for the construction of a carport. Work completed 2/7/02.

<i>Pre-Application Meeting</i>	
5/30/07	Staff met with the applicant and her representative to discuss the requirements for developing an indoor swim school at 4309 Thom Boulevard. Staff briefed the applicant regarding the requirements for a General Plan Amendment from a residential to commercial land use, the necessary rezoning, and the design standards required for the proposal.

<i>Neighborhood Meeting</i>	
6/27/07	<p>Meeting held at the Centennial Academy, 6610 Grand Montecito Pkwy, at 6pm. Four citizens attended and voiced their concerns regarding the following:</p> <ol style="list-style-type: none"> 1. Site access and its impact on traffic; 2. The demolition of existing residential structure on property; 3. The decrease in value of residential property; 4. The alley should be gated; 5. And opposition to a change to a commercial land use

<i>Field Check</i>	
6/20/07	<p>The Department of Planning and Development conducted a site visit and made the following observations:</p> <ol style="list-style-type: none"> 1. The site is currently occupied with a single family dwelling and accessory structure. 2. The adjacent development to the south and west appear to be mainly rural single family homes. 3. The adjacent development to the north (animal hospital) and east (Child Care Facility parking lot) appear to be mainly low-intensity commercial.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.53 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Dwelling	DR (Desert Rural)	R-E (Residence Estates)
North	Animal Hospital	SC (Service Commercial)	R-E (Residences Estates) with an ROI to C-1 (Limited Commercial)
South	Child Care facility	SC (Service Commercial)	C-1 (Limited Commercial)
East	Child Care facility	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family Dwelling	DR (Desert Rural)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	X		Y
Trails		X	NA
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment			NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 feet	104 feet	Y
Min. Setbacks			
• Front	20 feet	216 feet	Y
• Side	10 feet	11 feet	Y
• Rear	20 feet	20 feet	Y
Max. Lot Coverage	50%	16%	Y
Trash Enclosure	Screened & Enclosed	Not shown	Y*
Mech. Equipment	Screened & Enclosed	Not shown	N**

**The applicant has stated that a trash enclosure is not provided due to the low amount of trash created with the swim school use and that Republic Services will provide curbside pick-up.*

***Staff has conditioned the associated SDR-2257 that revised plans showing the mechanical equipment associated with the building (HVAC) be adequately screened from public view.*

Pursuant to Title 19.12, the following parking standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	6 Trees	4 Trees	N
Buffer: Min. Trees	1 Tree/30 Linear Feet	17 Trees	13 Trees	N
TOTAL		23 Trees	17 Trees	N*
Min. Zone Width	8 Feet		8 Feet	Y
Wall Height	6 Feet		6 Feet (existing)	Y

**SDR-22562 has been conditioned to add two more 24" box trees at the north and south ends of the building and to add two more trees at the front of the building in the landscaping that flanks the handicapped parking space for a total of 6 additional 24" box trees.*

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Recreation/A musement Facility (Indoor)	3,588 SF	1:200 SF GFA	18	1	19	1	Y
SubTotal			18		20		
TOTAL (including handicap)			18		20		Y

ANALYSIS

- Land Use/Zoning**

The applicant intends to remove the single family dwelling and accessory structure on the site upon approval of the development of a 3,588 square foot Recreation/Amusement Facility (Indoor) for the purposes of running a swim school. The subject site currently maintains the DR (Desert Rural) land use category and is located within the Rural Preservation Overlay District. An associated General Plan Amendment has been requested to change the land use from the DR (Desert Rural) General Plan category to the SC (Service Commercial) General Plan category.

Prior actions have allowed commercial zoning to surround the north, south, and east edges of this site. The commercial zoning that extends to the south of the site is a flag shaped lot used to provide access from Thom Boulevard to a Daycare Facility to the east of the subject site.

The requested C-1 (Limited Commercial) Zoning District allows for a Recreation/Amusement Facility (Indoor). Staff has conditioned the associated Site Development Plan Review (SDR-22557) to restrict the hours of operation from 8 am to 9 pm in consideration of the residential development located south of the proposal.

As the proposed use is in compliance with the associate General Plan Amendment (GPA-22560) and is in context with the bordering commercial uses, staff recommends approval.

- **Site Plan**

The site plan shows a 3,588 square-foot, single-story building located at the rear of the property. The site complies with the C-1 (Limited Commercial) zoning district development standards for building setback and lot coverage but will require a waiver for building placement. This issue is addressed in the accompanying Site Plan Development Review (SDR-22557) request.

Parking spaces for 20 cars –with one meeting CLV Handicapped Parking and ADA accessibility standards- are provided at the front of the building. Site access is from Thom Boulevard, a 50-foot wide Local Street that is approximately 200 feet from Craig Road, a 120-foot wide Primary Arterial.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **“The proposal conforms to the General Plan.”**

The requested Rezoning to the C-1 (Limited Commercial) zoning district is consistent with the SC (Service Commercial) General Plan designation requested through a companion General Plan Amendment (GPA-22560).

2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The proposed Recreation/Amusement Facility (Indoor) use is permitted under the proposed C-1 (Limited Commercial) zoning district and is compatible with the existing commercial uses in the surrounding area.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The recent growth in lower-intensity service commercial uses such as the Animal Hospital to the north and the Child Care Facility to the east of the subject site indicate a need for varied activity to locate in this area. The C-1 (Limited Commercial) zoning district is the appropriate category for the requested SC (Service Commercial) land use category (GPA-22560) affiliated with this proposal.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

The subject site is accessed from Thom Boulevard, a 50-foot wide Local Street via Craig Road, a 120-foot Parkway Arterial and is approximately 200 feet from Craig Road. There is adequate access provided to the site considering the relative small scale of the indoor aquatic school proposal.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 192 by Planning Department

APPROVALS 6

PROTESTS 12